

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

UNITED STATES OF AMERICA

v.

RUSSELL MITCHELL

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CASE NO. 2:23-cr-00014-cr-4

DEFENDANT'S MOTION TO SET CONDITIONS OF RELEASE

NOW COMES Defendant, Russell Mitchell, by and through his undersigned attorney, Mark D. Oettinger, of Montroll, Oettinger & Barquist, P.C, and hereby respectfully moves that he be released on conditions. In support of this request, Defendant submits as follows.

Lisa Barnes, Defendant's mother, who lives at 3022 Tournament Drive, Chesapeake, Virginia 22323, (757) 309-1153, lisabarnes817@gmail.com, is willing to have Defendant live with her at that location, as he has in the past. She works as a full-time Commonwealth of Virginia employee, serving as Chief of Staff and Legislative Aide for a member of the Virginia House of Delegates. She also runs her own part-time business, RLB Enterprise, in which capacity she assists candidates for public office as a Project Manager for their campaigns.

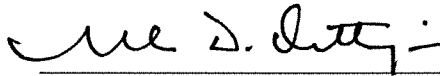
We spoke with Virginia attorney Warren Tomlin, who represented Defendant on the Virginia charges, and who has known Defendant and his mother well for many years. Mr. Tomlin is in depositions today, but he agreed to take our call at 8:00 a.m. this morning, while he was in transit to the site of his depositions. On the call, he agreed to send us a synopsis of the Virginia cases prior to tomorrow's hearing, and we will file anything that we receive from him before the hearing for the Court's consideration. Mr. Tomlin's office is located at 6052 Providence Road, Suite 203, Virginia Beach, Virginia 23464. He can be reached at (757) 309-4703 (work), (757) 822-9272 (cell), or jwt@jwptomlin.com.

We have also spoken with Defendant's Virginia-based Probation Officer, Jasmine Murray. The address of Chesapeake Probation is 808 Live Oak Drive, Suite 125, Chesapeake, Virginia, 23320, (757) 424-6760. Jasmine's supervisor is Gloria Hicks. Ms. Murray indicates that Mr. Mitchell was compliant with his conditions of probation since originally starting supervision on August 3, 2021, until he picked up the instant USDC/VT charges. If he is

released to address his probation violations in Chesapeake, he will be faced with a “no bond order,” which is subject to review by the Court on application of the defense.

DATED at Burlington, Vermont this 8th day of August, 2023.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Oettinger", is positioned above a horizontal line.

Mark D. Oettinger, Esq.
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